

### **Remarks/Arguments**

In the Office Action, the Examiner rejected claims 1-13. By this Amendment, the Applicants are amending claims 1 and 9. Claims 4, 5, 10 and 11 are cancelled. The Applicants respectfully assert that these amendments do not add any new matter. Upon entry of these amendments, claims 1-3, 6-9, 12 and 13 remain pending in the present application and are believed to be in condition for allowance. In view of the foregoing amendments and the following remarks, the Applicants respectfully request reconsideration and allowance of all pending claims.

### **35 U.S.C. §102**

In the Office Action, the Examiner rejected claims 1-4, 6-10, 12 and 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,521,808 to Marusik ("the Marusik reference"). Claims 5 and 11 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Although the Applicants do not concede the correctness of the rejection, the Applicants have elected to place the application in condition for allowance by amending claim 1 to include the limitations of dependent claims 4 and 5, and amending claim 9 to include the limitations of claims 10 and 11. The amendments to claims 1 and 9 are done without prejudice to the Applicant's right to substantively contest the rejection in a continuing application.


### **Conclusion**

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (317) 587-4029, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Ser. No. 10/509,943  
Amdt. dated October 20, 2006  
Reply to Office action of April 27, 2006

PU010178

Respectfully submitted,


  
By: William A. Lagoni  
Reg. No. 47,730  
Phone (317) 587-4029

Patent Operations  
Thomson Licensing Inc.  
P.O. Box 5312  
Princeton, New Jersey 08543-5312  
October 20, 2006

**CERTIFICATE OF MAILING**

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop-AMENDMENT, Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

October 20, 2006  
Date

  
William A. Lagoni